

PM



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/042,030	01/08/2002	Michael Wayne Brown	AUS920010686US1	4218

35525 7590 05/26/2004

DUKE W. YEE  
CARSTENS, YEE & CAHOON, L.L.P.  
P.O. BOX 802334  
DALLAS, TX 75380

EXAMINER
----------

PHAM, HUNG Q

ART UNIT	PAPER NUMBER
----------	--------------

2172

DATE MAILED: 05/26/2004

4

Please find below and/or attached an Office communication concerning this application or proceeding.

5

**Office Action Summary**

**Application**

10/042,030

**Applicant(s)**

BROWN ET AL.

**Examiner**

HUNG Q PHAM

**Art Unit**

2172

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 28 January 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 03/27/2002 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 3.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Information Disclosure Statement***

1. The information disclosure statement (IDS) submitted on 03/27/2002 was filed before the mailing date of the first Office action. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

### ***Drawings***

2. New corrected drawings are required in this application as specified in the attached form PTO-948. Applicant is advised to employ the services of a competent patent draftsman outside the Office, as the U.S. Patent and Trademark Office no longer prepares new drawings. The corrected drawings are required in reply to the Office action to avoid abandonment of the application. The requirement for corrected drawings will not be held in abeyance.

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

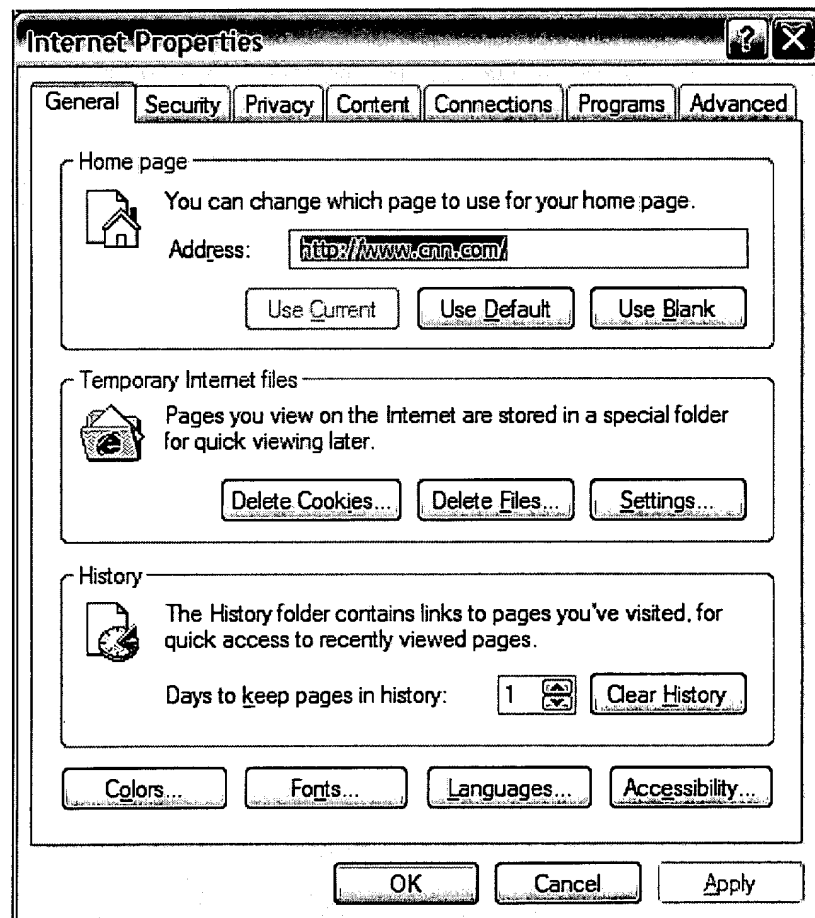
This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

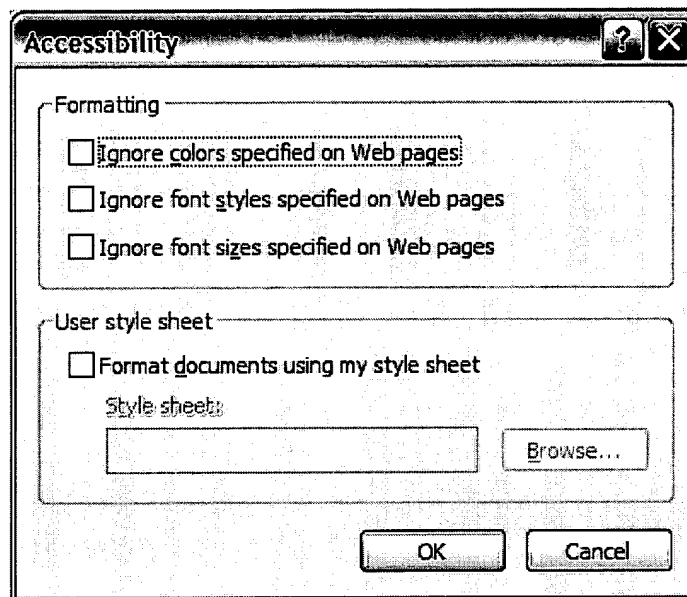
**4. Claims 1-23 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over the Admission in view of Internet Explorer, version 5, released 1998.**

Regarding to claims 1, 14 and 25, as in the background, a conventional method, apparatus and computer program product for viewing a document in the Internet was admitted by using a browser for *retrieving a document including* background image or color presented behind the document content as *a document component having an*

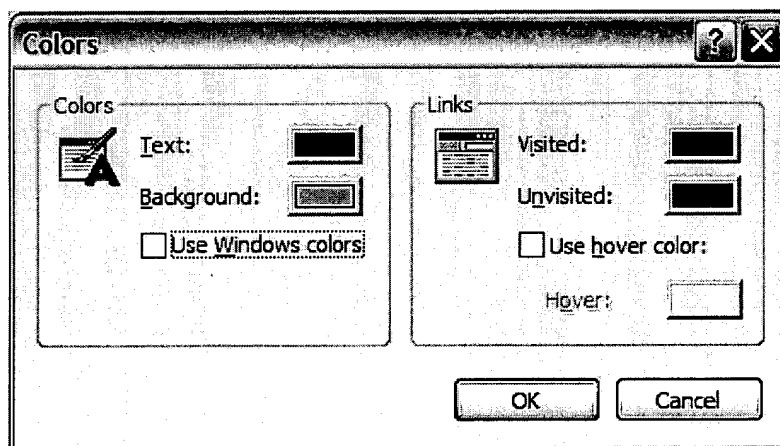
Art Unit: 2172

*attribute, wherein the attribute is explicitly specified in the document* (Background, pages 1-2). The admission does not have the step of *modifying the attribute to enhance display of the document*. However, in order to customize a view of a document in the Internet, Internet Explorer 5 allows a user to define preferences for attributes of a document by selecting Tools → Internet Options → Accessibility and check the boxes of Formatting to ignore colors, font sizes and font styles, then click OK to go back to Internet Properties.





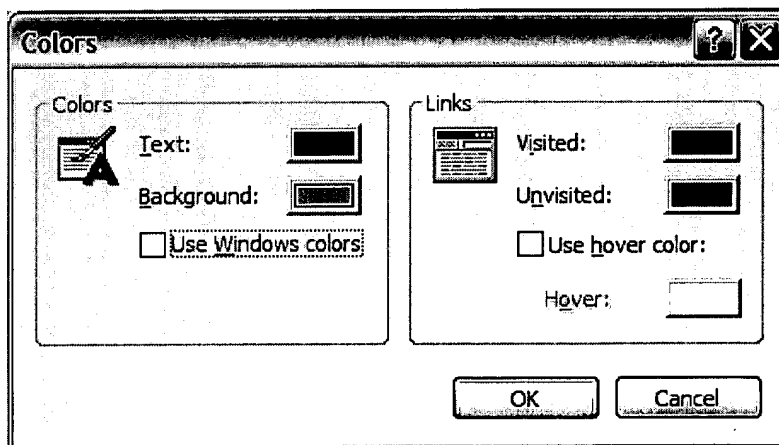
Then selecting Colors to reset the color of the text also the background of the document as below.



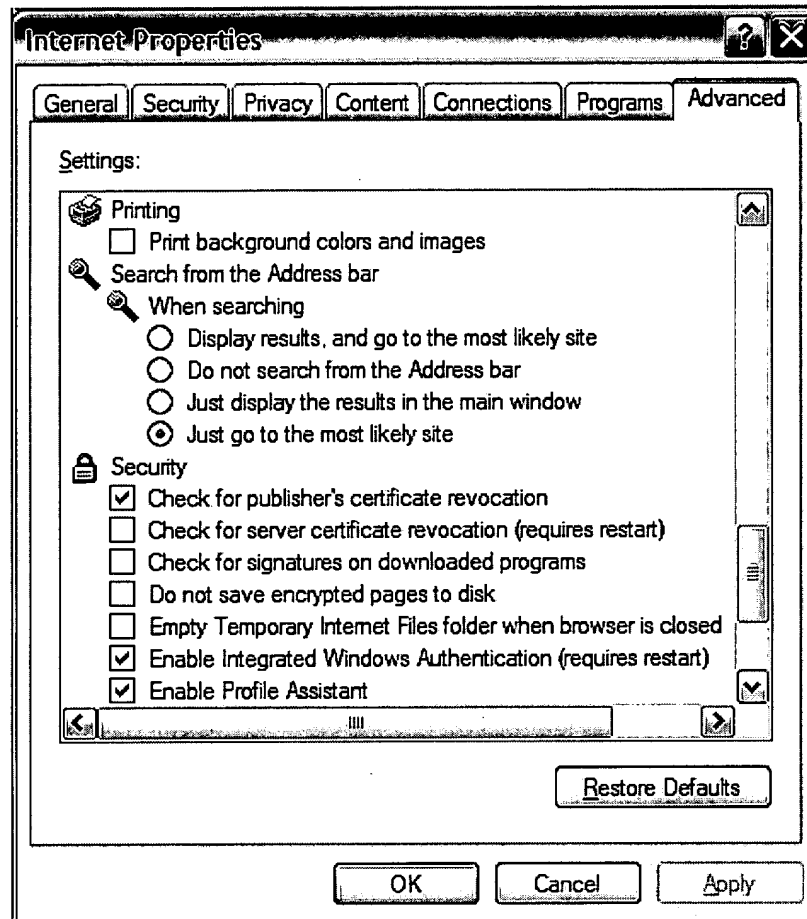
As seen, the color of the text and background as *the attributes of the document could be modified to enhance display of the document*. Therefore, it would have been obvious for one of ordinary skill in the art at the time the invention was made to use the

properties of Internet Explorer to modify the color of text and background in order to improve the view of a document in the Internet.

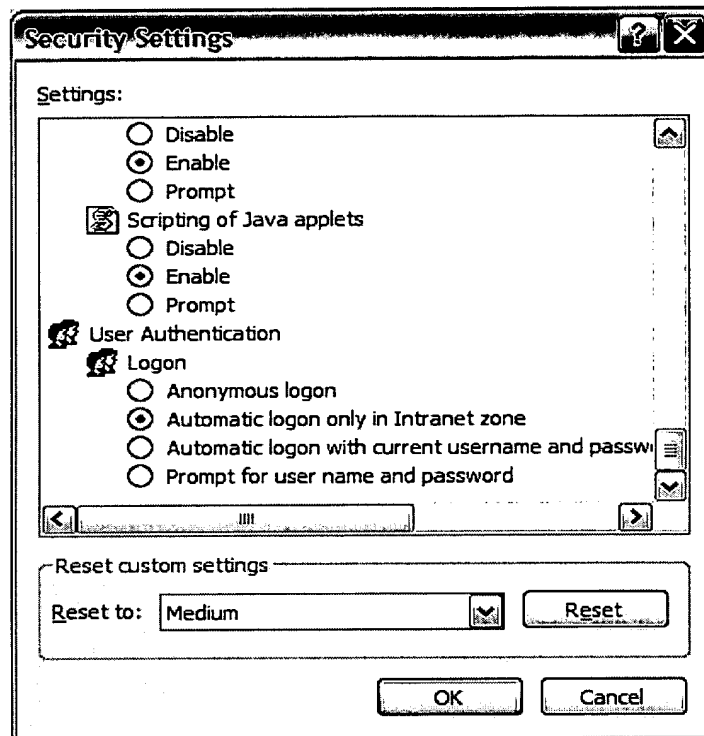
Regarding to claim 2, 4-10, 12-13, 16-21 and 23, the admission and Internet Explorer further discloses the steps of *displaying the document, the document component comprises a background color and changing the background color, the document component comprises text and changing a color of the text in the document, determining whether a clarification tool is enabled, wherein the step of modifying the attribute is in response to the clarification tool being enabled, displaying the document before determining whether the clarification tool is enabled, determining whether the clarification tool is activated by a user, loading user preferences, modifying the attribute based on the user preferences, creating an intermediate modified document and displaying the intermediate modified document.*



Regarding to claims 3 and 15, the Admission and Internet Explorer further discloses the document component comprises a background image and the step of modifying the attribute comprises removing the background image from the document.



Regarding to claims 11 and 22, the Admission and Internet Explorer further discloses the step of *authenticating a user, wherein the step of modifying the attribute comprises modifying the attribute in response to the user being authenticated.*

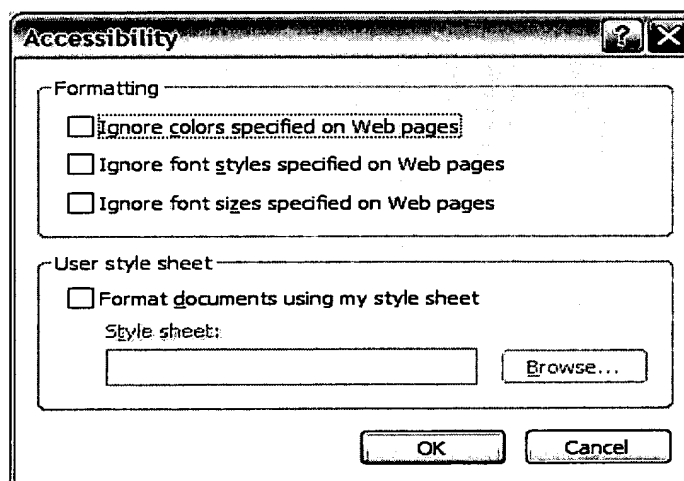
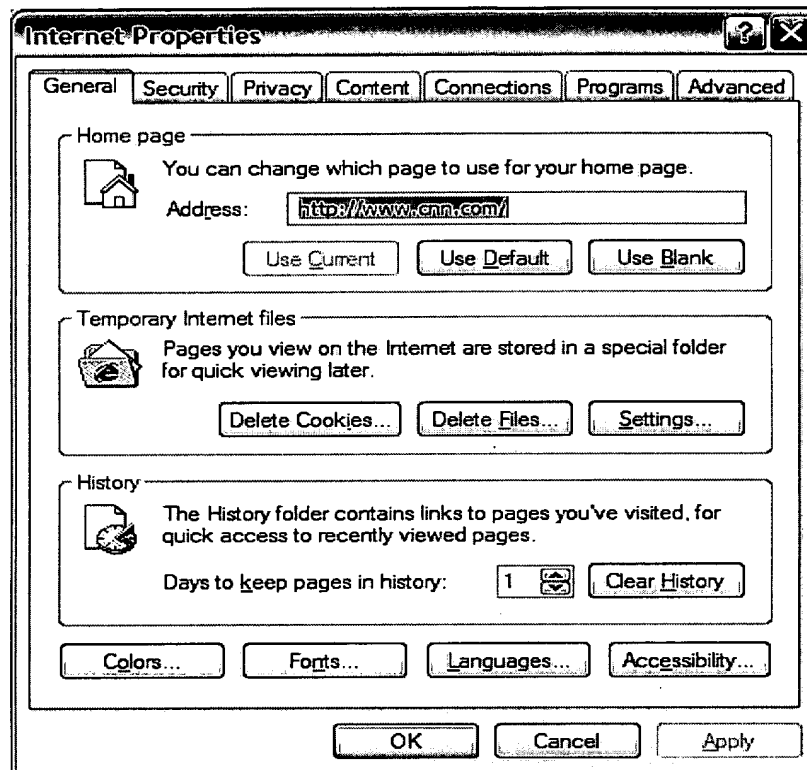


5. Claim 24 is rejected under 35 U.S.C. 103(a) as being unpatentable over a conventional computer system in view of Internet Explorer, version 5, released 1998.

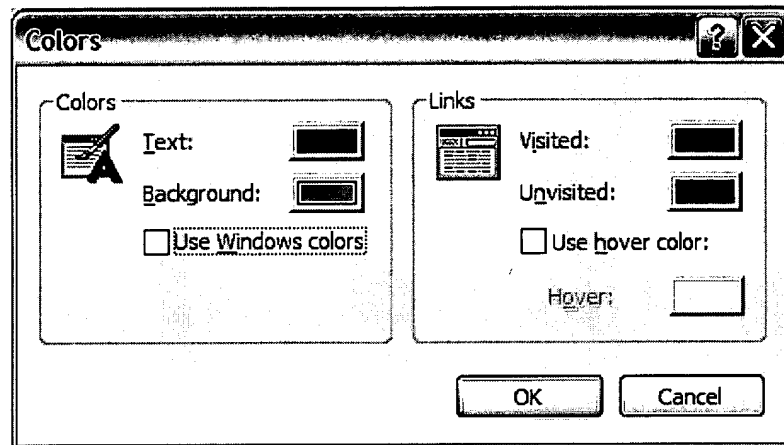
Regarding to claim 24, a conventional computer system is a document viewing system with the monitor as a document viewer. The computer, obviously, when combined with Internet Explorer as *a controller, coupled to the document viewer, wherein the controller retrieves a document* from the Internet. In order to customize a view of a document, Internet Explorer allows a user to define preferences for attributes of a document by selecting Tools → Internet Options → Accessibility and check the boxes of

Art Unit: 2172

Formatting to ignore colors, font sizes and font styles, then click OK to go back to Internet Properties.



Then selecting Colors to reset the color of the text also the background of the document as below.



As seen, Tools of Internet Explorer as *a selectable clarification tool*, wherein the *clarification tool*, when selected, causes the browser as *the controller* to modify attributes of the document to form a modified document, wherein display of text in the modified document is enhanced relative to the document; and wherein the monitor as *the document viewer* causes the browser as *the controller* to display the modified document.


***Conclusion***

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to HUNG Q PHAM whose telephone number is 703-605-4242. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, JOHN E BREENE can be reached on 703-305-9790. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

7. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Examiner Hung Pham  
May 5, 2004

  
SHAHID ALAM  
PRIMARY EXAMINER